



Atty. Docket No. 210_588
Express Mail Label No. EV487233982US

Practitioner's Docket No.: 210_588

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Lynn A. Turner

Ser. No.: 10/606,484

November 23, 2004

Filed: June 26, 2003

Art Unit: 3744

Examiner: Tanner, Harry B

For: Heat Pump With Improved Performance In Heating Mode

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 23, 2004.

Jill E. Brunet
Jill E. Brunet

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT AFTER
MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE
BUT BEFORE PAYMENT OF ISSUE FEE (37 C.F.R. 1.97(d))**

NOTE: An information disclosure statement shall be considered by the Office if filed after the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee, provided the statement is accompanied by: (i) a statement as specified in paragraph (e) of section 1.97, (ii) a petition requesting consideration of the information disclosure statement, and (iii) the petition fee set forth in § 1.17(i).

NOTE: If the information disclosure statement that contains the items required by 37 C.F.R. 1.97(d) is filed before, or simultaneously with, the payment of the issue fee, then it will be considered. See Notice of April 20, 1992 (1138 O.G. 37-41, 40) and 37 C.F.R. 1.97(d).

**TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

STATEMENT, PETITION AND FEE

2. In accordance with the requirements of 37 C.F.R. 1.97(d):
- A. Accompanying this transmittal is a statement, as specified in 37 C.F.R. 1.97(e).
 - B. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. 1.97(d).
 - C. Applicant submits the petition fee set forth in § 1.17(p) (\$180.00).

NOTE: "The petition should be directed to the Group Director of the examining group handling the application. The petition need do nothing more than request consideration of the information being submitted." Notice of April 20, 1992 (1138 O.G. 37-41, 40).

FEE DUE

3. Petition fee due (§ 1.17(p)): \$180.00

METHOD OF PAYMENT OF FEE

4. ☒ Attached is a check for \$180.00.
☐ Charge Account 50-0289 \$180.00.
- ☒ If any additional petition fees are due, please charge Account 50-0289.

Respectfully Submitted

WALL MARJAMA & BILINSKI LLP

By: _____


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CERTIFICATION UNDER 37 C.F.R. § 1.97(e)

Sir:

☒ Each item of information contained in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

OR

☐ No item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Respectfully Submitted,

WALL MARJAMA & BILINSKI LLP

By: _____

Dana F. Bigelow
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Jill E. Brunet
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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §§1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. A copy of the foreign references listed on Form PTO-1449 is attached.

Also enclosed is a copy of an International Search Report bearing a mailing date of November 2, 2004, and the U.S. PTO is directed thereto for a concise statement of possible relevance of the references cited therein.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

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Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: November 23, 2004

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Form PTO 1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Atty Docket No.	210 588	Serial No.	10/606,484
	Applicant	Lynn A. Turner		
	Filing Date	June 26, 2003	Group	3744

U.S. PATENT DOCUMENTS

Exam. Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
	AA	4,364,237	12/21/1982	Cooper et al.			
	AB	5,623,834	04/29/1997	Bahel et al.			

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract
	AC	0 962 715 A2	08/12/1999	EP				
	AD	0 962 715 A3	08/28/2002	EP				
	AE	0 509 952 A2	10/21/1992	EP				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages Etc.)

Examiner		Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.